



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

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GMP:MPR  
F. #2019R00927

271 Cadman Plaza East  
Brooklyn, New York 11201

June 1, 2020

By ECF

The Honorable Brian M. Cogan  
United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Genaro Garcia Luna  
Criminal Docket No. 19-576 (BMC)

Dear Judge Cogan:

The parties respectfully submit this written status update to the Court in the above-captioned matter. In light of the COVID-19 pandemic presently affecting New York City, the parties respectfully request that the Court adjourn this status conference for 60 days. The parties agree that an order of excludable delay is appropriate until the next status conference, based on the Court's previous complex case designation in this matter and Administrative Order 2020-14.

- Discovery
  - The government continues the process of collecting and reviewing discovery for production to the defendant on a rolling basis. Since the parties' last status letter on March 27, 2020, the government has made two discovery productions, on April 14, 2020 and May 29, 2020, totaling nearly 60,000 pages of documents. Those productions include, among other things, statements of the defendant, financial records, business records and intercepted communications. See Dkt. Nos. 40, 41.
  - The government also is awaiting responses from outstanding subpoenas, including subpoenas to the defendant and his companies. In addition, the government has submitted Mutual Legal Assistance Treaty requests for evidence in the possession of several foreign governments, including the Government of Mexico, and the government is awaiting responses to those requests.

- The government has been working with defense counsel and the Bureau of Prisons to facilitate the defendant's review of non-protected discovery at the Metropolitan Detention Center.
- Trial Preparation
  - The parties continue to face delays in preparing for trial in this case, in light of the pandemic, including limitations on the government's ability to meet with incarcerated witnesses and limitations on defense counsel's ability to meet with the defendant.
- CIPA
  - The government continues to face delays due to the pandemic in taking the necessary steps to complete litigation pursuant to the Classified Information Procedures Act, 18 U.S.C. App. 3, §§ 1-16 ("CIPA"), in this case, including limitations on its ability to review pertinent materials. The government expects to file its motion for a pretrial conference pursuant to Section 2 of CIPA, once it has a better sense of the anticipated schedule for completing CIPA litigation.

Respectfully submitted,

RICHARD P. DONOGHUE  
United States Attorney

By: /s/  
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cc: Cesar de Castro, Esq.  
Clerk of the Court (BMC) (by ECF)